

FACT SHEET

PROPOSED AMENDMENTS TO STANDARDS OF PERFORMANCE and AIR TOXICS REGULATIONS FOR THE LANDFILLS INDUSTRY

ACTION

- On August 31, 2006, the U.S. Environmental Protection Agency (EPA) proposed supplemental amendments to its March 1996 and January 2003 final rules for landfills, and its May 2002 proposed amendments to those rules. The landfills industry disposes of household waste and other non-hazardous materials with household waste.
- The proposed amendments to the final rules for this industry address stakeholders' concerns about the compliance responsibility for the entities involved in the collection, control and treatment of landfill gas.
- The proposed amendments would clarify:
 - who is responsible for compliance activities where multiple parties are involved in the ownership or operation of a landfill and the associated landfill gas collection, control or treatment systems;
 - what constitutes treated landfill gas; and
 - requirements for startup, shutdown, malfunction and routine maintenance.
- In addition to requesting comment on a series of technical corrections to the existing rules and amendments, EPA also is seeking comment on an alternative approach to clarifying compliance responsibility.
- EPA will accept public comment on the proposed amendments to the final rule for 30 days following publication of the proposed amendments in the *Federal Register*.

BACKGROUND

- On March 12, 1996, EPA issued a final action to control emissions of a variety of air pollutants from new and existing large municipal waste landfills. That action includes the New Source Performance Standards (NSPS) that apply to new, modified, and reconstructed landfills, as well as emission guidelines (EG) that apply to existing landfills.
- The 1996 NSPS and EG were projected to reduce emissions of volatile organic compounds including air toxics such as benzene, carbon tetrachloride and chloroform from existing and new landfills by more than 90,000 tons. The NSPS and EG also significantly reduce emissions of methane, a major constituent of landfill gas and a potent greenhouse gas. By capturing methane emissions, the NSPS also increase safety in and near landfills by reducing the potential for subsurface migration and

explosions.

- Under the Clean Air Act, EPA is required to regulate emissions of 187 specific air toxics, also known as hazardous air pollutants. On July 16, 1992, EPA published a list of industry groups, known as source categories that emit one or more of these air toxics.
- For categories of “major” sources, the law requires EPA to develop standards that restrict emissions to levels consistent with the lowest-emitting facilities in the country. A major source has the potential to emit 10 or more tons per year of a single air toxic or 25 tons per year or more of a combination of air toxics. These standards for major sources are based on stringent air pollution reduction measures known as maximum achievable control technology (MACT), and in January 2003, EPA issued a MACT rule for landfills

FOR MORE INFORMATION

- To download the proposed amendments from EPA’s website, go to “Recent Actions” at the following address: <http://www.epa.gov/ttn/oarpg>.
- Today's proposed action and other background information are also available either electronically in www.regulations.gov, EPA’s electronic public docket and comment system, or in hard copy at EPA’s Air and Radiation Docket and Information Center, Environmental Protection Agency, Room 3334, 1301 Constitution Avenue, NW, Washington, DC (Docket ID No. OAR-2004-0019). The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air and Radiation Docket and Information Center is (202) 566-1742.
- **HOW TO COMMENT:** Comments will be accepted for 60 days beginning when this proposal is published in the Federal Register. All comments should be identified by Docket ID No. OAR-2002-0048 and submitted by one of the following methods:
 - www.regulations.gov;
 - E-mail (a-and-r-docket@epa.gov);
 - Facsimile (202) 566-1741 (temporarily out of service);
 - Mail (Air and Radiation Docket and Information Center, Environmental Protection Agency, Mailcode: 6102T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460); or
 - Hand delivery (Air and Radiation Docket and Information Center, Environmental Protection Agency, Room B102, 1301 Constitution Avenue, NW, Washington, DC).
- **NOTE:** The EPA Docket Center suffered damage due to flooding during the last week of June 2006. The Docket Center is continuing to operate. However, during the cleanup, there will be temporary changes to Docket Center telephone numbers,

addresses, and hours of operation for people who wish to make hand deliveries or visit the Public Reading Room to view documents. Consult EPA's Federal Register notice at 71 FR 38147 (July 5, 2006) or the EPA website at www.epa.gov/epahome/dockets.htm for current information on docket operations, locations and telephone numbers. The Docket Center's mailing address for U.S. mail and the procedure for submitting comments to www.regulations.gov are not affected by the flooding and will remain the same.

- For more information about the proposed amendments, contact Karen Rackley at EPA's Office of Air Quality Planning and Standards at (919) 541-0634 or by e-mail at rackley.karen@epa.gov.